



PATENT  
ATTORNEY DOCKET NO. 041465-5197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Mitsuo YASUSHI et al	)	
	)	
Application No.: 10/649,858	)	Group Art Unit: To be assigned
	)	
Filed: August 28, 2003	)	Examiner: To be assigned
	)	
For: SYSTEM, METHOD, PROGRAM AND	)	
MEDIUM FOR MEASURING HEART	)	
RATE	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in an European Search Report dated December 11, 2003. A copy of the European Search Report is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application, and no fees are believed to be necessary. While the cited and attached WO 99/27463 document is in a non-English language, the relevance of this document can be

understood from the attached English-language abstract and from the attached European Search Report which cites the document.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

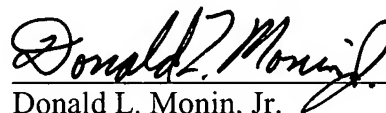
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: January 16, 2004

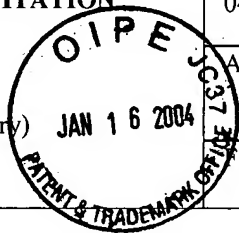
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<b>INFORMATION DISCLOSURE CITATION</b>  Page 1 of 1  (Use several sheets if necessary) <b>PTO Form 1449</b>	Attorney Docket No. 041465-5197 US	Application No.: 10/649,858
Applicants: Mitsuo YASUSHI et al.		
Filing Date: August 28, 2003		Group Art Unit: Unassigned



U.S. PATENT DOCUMENTS						
*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	4,732,158	March 22, 1988	Sadeh	128	702	Oct. 28, 1981
	5,215,098	June 1, 1993	Steinhaus et al.	128	702	Aug. 12, 1991
	5,277,188	January 11, 1994	Selker	128	696	June 26, 1991
	5,719,950	February 17, 1998	Osten et al.	382	115	Aug. 30, 1995

FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Sub Class	Translation	
						YES	NO
	1,496,837	January 5, 1978	Great Britain				
	WO 99/27463	June 3, 1999 (with English Abstract)	WIPO				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.